



Entered on Docket  
October 05, 2007

Hon. Linda B. Riegler  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
USA CAPITAL REALTY ADVISORS, LLC,  
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,  
USA CAPITAL FIRST TRUST DEED FUND, LLC,  
USA SECURITIES, LLC,

Debtors.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☒ USA Capital Diversified Trust Deed Fund, LLC  
☒ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

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Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

**Order Sustaining Partial Objection of USACM Trust To Mark Daniel Donnolo Claim Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of Claim; and Objection of DTDF to Proposed Allowance of Claim**

Hearing Date: September 28, 2007  
Hearing Time: 1:30 p.m.

1 The Court having considered the Partial Objection of USACM Trust To Mark Daniel  
2 Donnolo Claim Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of  
3 Claim; and Objection of DTDF to Proposed Allowance of Claim (the "Objection") [Docket No.  
4 4645]; appearances having been noted on the record; adequate notice of the Objection having  
5 been given; there having been no response filed to the Objection; and for good cause appearing:  
6

7 IT IS HEREBY ORDERED that the Objection is sustained, and that Claim No. 10725-  
8 00627 (the "Claim") is partially disallowed against the estate and in the case of USACM to the  
9 extent of any portion of the Claim that purports to be based upon any equity interest of Mark  
10 Daniel Donnolo ("Claimant") in either FTDF or DTDF; and the Claim is further disallowed  
11 against the estates and in the cases of FTDF and DTDF in its entirety.  
12


13 IT IS FURTHER ORDERED that this Order shall not affect any other claims filed by  
14 Claimant in these jointly-administered bankruptcy proceedings.

15 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity  
16 of the equity interest of the Donnolo Trust (as defined in the Objection) in FTDF as reflected in  
17 FTDF's books and records, and as confirmed by this Court's Order entered on March 21, 2007  
18 [Docket No. 3229], which interest is in the amount of \$248,754.

19 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity  
20 of the equity interest of the Donnolo Trust (as defined in the Objection) in DTDF as reflected in  
21 DTDF's books and records, which interest is in the amount of \$ 48,047.32.  
22

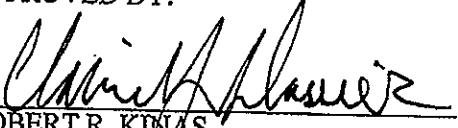
23 IT IS FURTHER ORDERED that nothing in this Order shall prejudice the rights of  
24 USACM to file further objections to the portion of the Claim that does not purport to be based  
25 upon an equity interest held by Claimant in either FTDF or DTDF.  
26

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